

REMARKS/ARGUMENTS

REST AVAILABLE COPY

This Amendment and Response is submitted along with a request for continued examination in response to the final Office action mailed July 13, 2006 and the advisory action mailed October 12, 2006. Thus, this communication is being submitted in response to both the advisory action mailed October 12, 2006 and the final Office action mailed July 13, 2006. This Amendment and Response hereby supersedes the Amendment and Response filed by Applicant on September 13, 2006, which was refused entry in the advisory action mailed on October 12, 2006 as it purportedly raised new issues that would require further consideration and/or search. Applicant has canceled claims 1-39 without prejudice and added new claims 40-78. No new matter has been added. Applicant respectfully requests that the new claims 40-78 be considered and allowed in light of the remarks provided below.

Interview Summary (Repeated from Unentered Response)

As stated in the prior Amendment and Response, which was not entered, the Applicant expresses sincere appreciation for the telephonic examiner interview conducted between the Examiner and the Undersigned, Thomas J. Osborne, Jr., on September 11, 2005. During the interview, the undersigned discussed the invitation to amend the claims made by the Examiner on page 13 of the Office action dated July 13, 2006 and the Applicant's belief that such an amendment would place the claims in a condition for allowance. As discussed above, however, the claims amended in that manner in the previous Amendment and Response were refused entry in the advisory action mailed October 12, 2006.

Claim Rejections – 35 U.S.C. §103(a)

Claims 1-4, 7-9, 14, 15, 18-21, 30-32, 35, 37, 38, and 39

Claims 1-4, 7-9, 14, 15, 18-21, 30-32, 35, 37, 38, and 39 stand rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over U.S. Patent No. 6,594,696 to Walker et al. ("Walker") in view of 6,650,347 to Nulu et al. ("Nulu"). The Applicant respectfully traverses this rejection for at least the following reasons.

Claims 1-4, 7-9, 14, 15, 18-21, 30-32, 35, 37, 38, and 39 have been canceled without prejudice. Applicant believes that newly entered claims 40-78 are patentable over Walker in view of Nulu for at least the following reasons.

Independent claim 40, from which claims 41-47 depend, recites concurrently displaying a graphical representation of the first port connected to a first connection path of the network and a graphical representation of the second connection port connected to a second connection path of the network.

Independent claim 48, from which claims 49-59 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises a port number and a port connection type indicator."

Claim 60, from which claims 61-64 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises an indication of the connection ports having an actual connection to another device in the network and the connection ports having no connection."

Claim 65, from which claims 66-69 depend, recites, "wherein the expanded view concurrently displays port information for the portion of the connection ports connected to the other devices in the network and wherein the port information for the portion of the connection ports connected to the other devices in the network is displayed in locations in the expanded view indicating relative locations in the network topology display of the other devices connected to the graphical device node."

Claim 70 recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port of the network device represented by the graphical device node and at least one of the plurality of port information indicators representing a connection port of the network device having a communicative connection to another device in the network."

Claim 71, from which claims 72-78 depend, recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an

individual connection port on the network device represented by the graphical device node, wherein at least one of the port information indicators represents an individual connection port of the network device having a communicative connection to another device in the network."

As discussed with the Examiner in the telephone interview referenced above, Walker only permits selecting a single link at a time. Thus, Walker does not disclose teach or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or two or for a plurality of ports of a network device. Nor does Nulu disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or for a plurality of the ports. Accordingly, Applicant respectfully requests that the Examiner allow new claims 40-78.

In addition, Applicant further maintains that new claims 40-78 are additionally allowable for at least the reasons previously argued in the prior Amendment and Response.

Generally, Walker discloses displaying "object tips" in a network topology display. Using the system of Walker, a user may obtain data about a device or link in the network. However, Walker does not disclose or suggest including port information in an object tip associated with a device. Rather, port information is only shown in association with a link, not for a device. Thus, in order to obtain port information for a device, a user must select each link connected to that device one link at a time. Even then, only port information for a single port of the device is ever shown at the same time.

In contrast to the network topology display of Walker, Nulu discloses a software tool providing a resource tree that lists individual resources within a discrete piece of hardware. Using the system of Nulu, a user may configure individual resources within the piece of hardware but cannot view the network topology.

The Applicant respectfully submits that the Office, in arguments made previously to reject the canceled claims, has still failed to establish a prima facie case of obviousness relative to new claims 40-78. The Office bears the initial burden of factually supporting any prima facie conclusion of obviousness. To meet this burden,

the Office must show (1) some suggestion or motivation to combine the reference teachings; (2) a reasonable expectation of success; and (3) that the combined references teach or suggest all of the claimed features. The Office has failed to meet all three of the criteria.

The apparent extent of the Office's attempt to show some suggestion or motivation to combine the reference teachings amounts to the conclusion that it would have been obvious to combine the features of the references "to provide users with architectural perspectives that are rapidly obtainable." Office action dated February 2, 2006, page 4. However, the Office provides no explanation of how this objective addresses a problem suggested or motivated by the references or a combination thereof or how this objective could even be reasonably achieved by a combination of the references. The term "architectural perspectives" is used in Nulu to describe the internal architecture of a "box" or hardware device. In contrast, Walker's system is directed to interconnections between network devices, not architectural perspectives. Rather than displaying what exists within a hardware device, the network topology display of Walker displays what links multiple boxes. Accordingly, the Office's remarks fail to show any suggestion or motivation to combine the references, particularly to provide users with architectural perspectives that are rapidly obtainable.

Nevertheless, to support its conclusion, the Office describes Nulu as teaching "a computer-implemented method of displaying device port information in a hardware topology display". Office action, pg. 4, lines 4-6. The Applicant respectfully submits that the term "hardware topology display" is not found in Nulu and the Office's use of the term appears to be an attempt to textually imply some similarity between the cited references. However, the Office's proposed use of the term "topology" perverts the term's ordinary use, which relates to interconnections of network devices, and further conflicts with the use of the term in the context of Walker's network topology. Nulu merely discloses a resource tree of resources internal to a hardware device, not a network topology display, and nothing in the Office's remarks or the cited references explains any suggestion or motivation for combining these two distinct types of structures.

Notwithstanding the Office's remarks, the proposed combination is simply not suggested or motivated by the cited references. The Office ignores the explicit differences between Nulu's tree of resources within a hardware device and Walker's network topology display. A network topology display is described in Walker using the following language:

Thus, as shown in FIG. 2, the network management station 3A displays a graphical representation 17 of the network topology, identifying each network device (PC, hub, switch, etc) by an appropriate icon which depicts an image of the device, and the network links which connect the network devices, by continuous lines connecting the relevant icons on the graphical representation 17 or map.

Walker, col. 4, lines 7-12. In stark contrast, a resource tree is disclosed by Nulu as a hierarchical listing of hardware resources within a given hardware device. Nulu neither discloses nor suggests any display of a network topology, individual network devices within a network topology, images of such devices, or network links connecting such devices. Instead, Nulu's resource tree is limited to an "architectural perspective" of resources within a single device. As such, the Office has failed to provide any showing as to why one of ordinary skill in the art would be motivated to combine the network topology display features of Walker with the resource tree features of Nulu.

In addition, even assuming arguendo that the Office has established a *prima facie* showing of a motivation to combine Walker and Nulu (which Applicant does not concede), the Applicant submits that one of ordinary skill in the art would not be motivated to combine the teachings of the references because the displayed device nodes in Walker are already "expanded," at least in the sense that Nulu shows expansion (see e.g., FIG. 4 showing S1000-1-72 with 3 ports and HUB10-1-72 with 4 ports). The Office has failed to show any reason why one of ordinary skill in the art would be motivated to combine the teachings of Walker and Nulu if there is no "expansion" available in a Walker device node.

Regarding the criterion of showing a reasonable expectation of success, the Office makes no attempt to provide an explanation of a reasonable expectation of success. The Applicant submits that Walker and Nulu cannot be combined because the Walker device nodes cannot be expanded in the sense that Nulu expands its resource tree entries – the Walker devices are already "expanded" in the Nulu sense.

Moreover, the Office has failed to show that the combined references teach or suggest all of the claimed features of the canceled claims 1-39 or new claims 40-78. The references, individually or when combined, must teach or suggest every claimed feature. See, e.g., MPEP § 2143 and *In re Royker*, 490 F.2d 981 (CCPA 1974). While the Office asserts that Applicant improperly attacked individual references, Applicant has shown that neither Walker nor Nulu teach or suggest certain claim features. Thus, the Office's proposed combination of Walker and Nulu likewise fails to teach or suggest these claim limitations.

Claims 5, 6, 12, 13, 23-26, 28, 33, and 34

Claims 5, 6, 12, 13, 23-26, 28, 33, and 34 stand rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over U.S. Patent No. 6,594,696 to Walker et al. ("Walker") in view of U.S. Patent No. 6,650,347 to Nulu et al. ("Nulu") and in further view of U.S. Patent No. 5,261,044 to Dev et al. ("Dev"). The Applicant respectfully traverses the rejection for at least the following reasons.

Claims 5, 6, 12, 13, 23-26, 28, 33, and 34 have been canceled without prejudice. Applicant believes that newly entered claims 40-78 are patentable over Walker in view of Nulu for at least the following reasons.

Independent claim 40, from which claims 41-47 depend, recites concurrently displaying a graphical representation of the first port connected to a first connection path of the network and a graphical representation of the second connection port connected to a second connection path of the network.

Independent claim 48, from which claims 49-59 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises a port number and a port connection type indicator."

Claim 60, from which claims 61-64 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises an indication of the connection ports having an actual connection to another device in the network and the connection ports having no connection."

Claim 65, from which claims 66-69 depend, recites, "wherein the expanded view concurrently displays port information for the portion of the connection ports connected to the other devices in the network and wherein the port information for the portion of the connection ports connected to the other devices in the network is displayed in locations in the expanded view indicating relative locations in the network topology display of the other devices connected to the graphical device node."

Claim 70 recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port of the network device represented by the graphical device node and at least one of the plurality of port information indicators representing a connection port of the network device having a communicative connection to another device in the network."

Claim 71, from which claims 72-78 depend, recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port on the network device represented by the graphical device node, wherein at least one of the port information indicators represents an individual connection port of the network device having a communicative connection to another device in the network."

As discussed with the Examiner in the telephone interview referenced above, Walker only permits selecting a single link at a time. Thus, Walker does not disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or two or for a plurality of ports of a network device. Nor do Nulu or Dev disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or for a plurality of the ports. Accordingly, Applicant respectfully requests that the Examiner allow new claims 40-78.

In addition, Applicant further maintains that new claims 40-78 are additionally allowable for at least the reasons previously argued in the prior Amendment and Response.

Claims 16 and 17

Claims 16-17 also stand rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over U.S. Patent No. 6,594,696 to Walker et al. ("Walker") in view of U.S. Patent No. 6,650,347 to Nulu et al. ("Nulu") and in further view of U.S. Patent No. 5,261,044 to Dev et al. ("Dev"). The Applicant respectfully traverses the rejection for at least the following reasons.

Claims 16-17 have been canceled without prejudice. Applicant believes that newly entered claims 40-78 are patentable over Walker in view of Nulu for at least the following reasons.

Independent claim 40, from which claims 41-47 depend, recites concurrently displaying a graphical representation of the first port connected to a first connection path of the network and a graphical representation of the second connection port connected to a second connection path of the network.

Independent claim 48, from which claims 49-59 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises a port number and a port connection type indicator."

Claim 60, from which claims 61-64 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises an indication of the connection ports having an actual connection to another device in the network and the connection ports having no connection."

Claim 65, from which claims 66-69 depend, recites, "wherein the expanded view concurrently displays port information for the portion of the connection ports connected to the other devices in the network and wherein the port information for the portion of the connection ports connected to the other devices in the network is displayed in locations in the expanded view indicating relative locations in the network topology display of the other devices connected to the graphical device node."

Claim 70 recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port of the network

device represented by the graphical device node and at least one of the plurality of port information indicators representing a connection port of the network device having a communicative connection to another device in the network."

Claim 71, from which claims 72-78 depend, recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port on the network device represented by the graphical device node, wherein at least one of the port information indicators represents an individual connection port of the network device having a communicative connection to another device in the network."

As discussed with the Examiner in the telephone interview referenced above, Walker only permits selecting a single link at a time. Thus, Walker does not disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or two or for a plurality of ports of a network device. Nor do Nulu or Dev disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or for a plurality of the ports. Accordingly, Applicant respectfully requests that the Examiner allow new claims 40-78.

In addition, Applicant further maintains that new claims 40-78 are additionally allowable for at least the reasons previously argued in the prior Amendment and Response.

Claim 22

Claim 22 stands rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over U.S. Patent No. 6,594,696 to Walker et al. ("Walker") in view of U.S. Patent No. 6,650,347 to Nulu et al. ("Nulu"), as applied to claim 20. The Applicant respectfully traverses the rejection for at least the following reasons.

Claims 16-17 have been canceled without prejudice. Applicant believes that newly entered claims 40-78 are patentable over Walker in view of Nulu for at least the following reasons.

Independent claim 40, from which claims 41-47 depend, recites concurrently displaying a graphical representation of the first port connected to a first connection path of the network and a graphical representation of the second connection port connected to a second connection path of the network.

Independent claim 48, from which claims 49-59 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises a port number and a port connection type indicator."

Claim 60, from which claims 61-64 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises an indication of the connection ports having an actual connection to another device in the network and the connection ports having no connection."

Claim 65, from which claims 66-69 depend, recites, "wherein the expanded view concurrently displays port information for the portion of the connection ports connected to the other devices in the network and wherein the port information for the portion of the connection ports connected to the other devices in the network is displayed in locations in the expanded view indicating relative locations in the network topology display of the other devices connected to the graphical device node."

Claim 70 recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port of the network device represented by the graphical device node and at least one of the plurality of port information indicators representing a connection port of the network device having a communicative connection to another device in the network."

Claim 71, from which claims 72-78 depend, recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port on the network device represented by the graphical device node, wherein at least one of the port information indicators represents an individual

connection port of the network device having a communicative connection to another device in the network."

As discussed with the Examiner in the telephone interview referenced above, Walker only permits selecting a single link at a time. Thus, Walker does not disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or two or for a plurality of ports of a network device. Nor does Nulu disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or for a plurality of the ports. Accordingly, Applicant respectfully requests that the Examiner allow new claims 40-78.

In addition, Applicant further maintains that new claims 40-78 are additionally allowable for at least the reasons previously argued in the prior Amendment and Response.

Claims 27 and 36

Claims 27 and 36 stand rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over U.S. Patent No. 6,594,696 to Walker et al. ("Walker") in view of U.S. Patent No. 6,650,347 to Nulu et al. ("Nulu") and U.S. Patent No. 5,261,044 to Dev et al. ("Dev"), and in further view a reference identified as "Simpson". The Office has not specifically identified the "Simpson" reference, but the Applicant makes a good faith effort to respond to the rejection using the only "Simpson" reference on record, U.S. Patent No. 5,179,550. The Applicant respectfully traverses the rejection for at least the following reasons.

Claims 27 and 36 have been canceled without prejudice. Applicant believes that newly entered claims 40-78 are patentable over Walker in view of Nulu for at least the following reasons.

Independent claim 40, from which claims 41-47 depend, recites concurrently displaying a graphical representation of the first port connected to a first connection path of the network and a graphical representation of the second connection port connected to a second connection path of the network.

Independent claim 48, from which claims 49-59 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises a port number and a port connection type indicator."

Claim 60, from which claims 61-64 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises an indication of the connection ports having an actual connection to another device in the network and the connection ports having no connection."

Claim 65, from which claims 66-69 depend, recites, "wherein the expanded view concurrently displays port information for the portion of the connection ports connected to the other devices in the network and wherein the port information for the portion of the connection ports connected to the other devices in the network is displayed in locations in the expanded view indicating relative locations in the network topology display of the other devices connected to the graphical device node."

Claim 70 recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port of the network device represented by the graphical device node and at least one of the plurality of port information indicators representing a connection port of the network device having a communicative connection to another device in the network."

Claim 71, from which claims 72-78 depend, recites, "the expanded graphical device node concurrently displaying a plurality of port information indicators not displayed by the displaying operation, each port information indicator representing an individual connection port on the network device represented by the graphical device node, wherein at least one of the port information indicators represents an individual connection port of the network device having a communicative connection to another device in the network."

As discussed with the Examiner in the telephone interview referenced above, Walker only permits selecting a single link at a time. Thus, Walker does not disclose, teach, or suggest concurrently displaying two or more connected ports of a network

device or port information for each of the connected ports or two or for a plurality of ports of a network device. Nor do Nulu, Dev, or Simpson disclose, teach, or suggest concurrently displaying two or more connected ports of a network device or port information for each of the connected ports or for a plurality of the ports. Accordingly, Applicant respectfully requests that the Examiner allow new claims 40-78.

In addition, Applicant further maintains that new claims 40-78 are additionally allowable for at least the reasons previously argued in the prior Amendment and Response.

Claim 29

Claim 29 stands rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over U.S. Patent No. 6,594,696 to Walker et al. ("Walker") in view of U.S. Patent No. 6,650,347 to Nulu et al. ("Nulu") and U.S. Patent No. 5,261,044 to Dev et al. ("Dev"), and in further view a reference identified as "Bare". The Office has not specifically identified the "Bare" reference, but the Applicant makes a good faith effort to respond to the rejection using the only "Bare" reference on record, U.S. Patent No. 6,473,403. The Applicant respectfully traverses the rejection for at least the following reasons.

Claim 29 has been canceled without prejudice. Applicant believes that newly entered claims 40-78 are patentable over Walker in view of Nulu for at least the following reasons.

Independent claim 40, from which claims 41-47 depend, recites concurrently displaying a graphical representation of the first port connected to a first connection path of the network and a graphical representation of the second connection port connected to a second connection path of the network.

Independent claim 48, from which claims 49-59 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a user selection of the graphical device node, wherein the displayed port information comprises a port number and a port connection type indicator."

Claim 60, from which claims 61-64 depend, recites, "concurrently displaying port information for the first connection port and the second connection port in response to a

user selection of the graphical device node, wherein the displayed port information comprises an indication of the connection ports having an actual connection to another device in the network and the connection ports having no connection."

Claim 65, from which claims 66-69 depend, recites, "wherein the expanded view concurrently displays port information for the portion of the connection ports connected to the other devices in the network and wherein the port information for the portion of

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☒ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☒ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.